

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

SOUTHWEST ENVIRONMENTAL CENTER  
AND BORDER NETWORK FOR HUMAN  
RIGHTS,

Plaintiffs,

vs.

Civ. No. 2:18-cv-000632 WJ-KRS

JEFFERSON BEAUREGARD SESSIONS  
III, in his official capacity as Attorney  
General of the United States; KRISTJEN  
NIELSEN, in her official capacity as  
Secretary of the U.S. Department of  
Homeland Security; JAMES N. MATTIS, in  
his official capacity as Secretary of the U.S.  
Department of Defense; and ALEX M.  
AZAR II, in his official capacity as Secretary  
of the U.S. Department of Health and Human  
Services,

Defendants.

**DEFENDANTS' MOTION TO DISMISS**

Defendants United States America, moves this Court for an order dismissing Plaintiff's Complaint. As ground for this motion, Defendants state that Plaintiffs lack standing and a cause of action. The facts pertaining to the lack of subject matter jurisdiction are set forth in Defendant's Memorandum in Support of Motion to Dismiss. Pursuant to Local Rule 7.1 opposing counsel was contacted on August 2, 2018 via telephone to determine if they opposed the filing of this motion. Plaintiffs oppose the filing of this motion.

Wherefore, Defendant prays that this Court dismiss Plaintiff's Complaint.

Respectfully submitted,  
JOHN C. ANDERSON  
United States Attorney

**/s/ Manuel Lucero 8/27/2018**

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 27, 2018, Defendant filed through the United States District Court CM/ECF System the foregoing document, causing it to be served by electronic means on all counsel of record.

**/s/ Manuel Lucero 8/27/2018**

MANUEL LUCERO  
Assistant U. S. Attorney